

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Steven William Hoffman
Serial No.	:	10/803,245
Filing Date	:	March 3, 2004
For	:	APPARATUS FOR INSERTION INTO A BODY LUMEN
Group Art Unit	:	3734
Confirmation No.	:	5966
Examiner	:	Victor X. Nguyen
Attorney Docket No.	:	CCF-6332NP

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO REQUIREMENT FOR ELECTION

Sir:

In response to the Office Action dated July 26, 2007, requiring election between Species 1, shown in Figs. 1-5; Species 2, shown in Figs. 6-8; and Species 3, shown in Figures 9-11, the Applicant hereby elects, without traverse, Species 1 for further prosecution. Claims 1-10, 14-17, 21-24, 31, and 33 read on Species 1, shown in Figs. 1-5. It is respectfully submitted that at least claims 1, 21, and 31 in the application are generic.

Regarding the election of a Subspecies between Subspecies 1, shown in Fig. 12; and Subspecies 2, shown in Fig. 13, the Applicant hereby elects, with traverse, Subspecies 1 for further prosecution. At least claims 18-20, and 27-30 read on the Subspecies 1, shown in Fig. 12.

The Applicant respectfully traverses the restriction requirement regarding Subspecies 2. Subspecies 2 is simply a sectional view taken along line 13-13 in Fig. 12. Therefore the Subspecies 1, shown in Figure 12; and Subspecies 2, shown in Figure 13 are the exact same subspecies. Thus, it is respectfully requested that the subspecies restriction be withdrawn and that Subspecies 1 and 2 be examined together.

An action on the merits is respectfully requested.

Please charge any deficiency or credit any overpayment in the fees for this response to our Deposit Account No. 20-0090.

Respectfully submitted,

/Richard S. Wesorick/

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